

DENIED and SO ORDERED.
ENTER: 05/16/2017

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

IN RE: ETHICON, INC.
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CASE(S) ON THE EXHIBIT(S) ATTACHED
HERETO

**JOINT MOTION TO DISMISS CERTAIN DEFENDANTS WITH PREJUDICE
AND PLAINTIFFS' MOTION TO TRANSFER MDLS**

Plaintiffs in the cases listed on the attached Exhibit A and Defendants Ethicon, Inc., Ethicon, LLC, and Johnson & Johnson (collectively the "Ethicon entities"), to the extent the above-referenced Ethicon entities are named, advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, they jointly move the court to dismiss the Ethicon entities as defendants in these actions with prejudice, each party to bear its own costs.¹

Other defendants, including C. R. Bard, Inc. and Tissue Science Laboratories, Ltd., remain in these actions, and plaintiffs will continue to prosecute these actions against them. To that end, Amended Short Form Complaints have been or will be filed against the remaining defendants.

Further, plaintiffs move to transfer these actions from MDL 2327, In re: Ethicon, Inc., Pelvic Repair System Products Liability Litigation to: MDL 2187. Plaintiffs herein filed

¹ The parties jointly move to dismiss the Ethicon entities with prejudice and terminate them from the Court's docket in these matters; the signatures for the Ethicon entities on this motion relate only to the joint motion. The motion to transfer is made only by the plaintiffs.

Complaints or Short Form Complaints in MDL 2327 against the Ethicon entities, and others. Within fourteen (14) days of filing of this motion, plaintiffs will file Amended Short Form Complaints that no longer include the Ethicon entities as named defendants.

Because the Ethicon entities are no longer named defendants in these cases, plaintiffs respectfully request that the Court: 1) GRANT the plaintiffs' motion to transfer these actions from MDL 2327 to MDL 2187; and 2) direct the Clerk to disassociate these civil actions as member cases in MDL 2327 and re-associate them with MDL 2187.

Respectfully:

/s/ Christy D. Jones

Christy D. Jones, Esq.

BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC

P.O. Box 6010

Ridgeland, MS 38158

(601) 948-5711

Christy.Jones@butlersnow.com

Attorneys for the Ethicon, Inc., Ethicon LLC, and Johnson & Johnson

/s/ David B. Thomas

David B. Thomas

THOMAS COMBS & SPANN, PLLC

P.O. Box 3824

Charleston, WV 25338

(304) 414-1800

dthomas@tcspllc.com

Attorneys for the Ethicon, Inc., Ethicon LLC, and Johnson & Johnson

/s/ Henry G. Garrard, III

Henry G. Garrard, III

BLASINGAME BURCH GARRARD & ASHLEY

P. O. Box 832

Athens, GA 30603

706.354.4000 (phone)

706.549.3545 (fax)

hgg@bbgbalaw.com

Attorney for Plaintiff on Exhibit A